
AMENDMENTS TO THE CLAIMS

1. (Presently Amended) An interbody fusion spacer, comprising:
an elongated body having a first end, a second end, an outer surface and a side wall connecting said first end and said second end, said elongated body defining an interior eavity chamber;
at least one of said first end and said second end having an end wall discontinuity;
a side wall discontinuity extending along a length of said body aligned with the end wall discontinuity and configured for nesting with an adjacent spacer; and
said side wall discontinuity defining a side wall opening to said interior eavity chamber in a side of said elongated body.
2. (Original) The spacer of claim 1 wherein said body is comprised of metal.
3. (Original) The spacer of claim 1, wherein said body is generally cylindrical in shape.
4. (Original) The spacer of claim 1, wherein said outer surface defines threaded bone-engaging portions.
5. (Presently Amended) The spacer of claim 1, wherein said side wall defines a plurality of openings for bone ingrowth extending from said outer surface into said internal eavity chamber.
6. (Original) The spacer of claim 1, wherein one of said ends comprises a tool engaging end defining a tool engaging hole for receiving a driving tool for implanting the spacer.
7. (Presently Amended) The spacer of claim 1, further comprising an osteogenic material disposed within said eavity chamber.

8. (Original) The spacer of claim 7, wherein said osteogenic material comprises demineralized bone, a calcium phosphate material, a bioceramic, bioglass, an osteoinductive factor and mixtures thereof.

9. (Original) The spacer of claim 1, wherein said side wall opening is defined by a side wall discontinuity in said side wall that extends over at least about 10% of the circumference of said body but not exceeding about 50% of the circumference of said body.

10. (Original) The spacer of claim 9, wherein said side wall discontinuity extends over at least about 20% of the circumference of said body but not exceeding about 40% of the circumference of said body.

11. (Original) The spacer of claim 1, wherein said side wall opening is defined by a side wall discontinuity that extends over at least about 50% of the length of said body.

12. (Original) The spacer of claim 1, wherein said side wall discontinuity extends over at least about 80% of the length of said body.

13. (Original) The spacer of claim 1, wherein said side wall opening is sized to allow passage of osteogenic material into said interior cavity.

14. (Original) The spacer of claim 1, wherein said end wall discontinuity defines a concave surface.

15. (Original) The spacer of claim 1, wherein said end wall discontinuity is configured for nesting with an adjacent spacer.

16. (Canceled)

17. (Original) The spacer of claim 1, having a concave end wall discontinuity at each of said first and second ends, and wherein each of said ends is configured to receive an outer convex surface of an adjacent spacer.

18. (Original) The spacer of claim 1, wherein each of said ends are configured for nesting with an adjacent spacer to form a spacer assembly having a width less than the sum of the combined maximum diameters of said spacers.

19. (Presently Amended) An interbody fusion spacer, comprising:
an elongated body having a circumference, a first end defining a first end wall, a second end defining a second end wall, an outer surface and a side wall connecting said first end and said second end, said elongated body defining an a hollow interior cavity between said first and second ends, at least one of said end walls having a discontinuity configured for nesting with an adjacent spacer; said side wall defining a discontinuity extending along a length of said body, said discontinuity in said side wall defining an opening in communication with said interior cavity, said discontinuity in side wall being at a location corresponding to said discontinuity in said end wall, and said discontinuity in said end wall and said discontinuity in said side wall both extending about said circumference of said body to substantially the same extent.

20. (Presently Amended) An interbody fusion implant system, comprising:
a first interbody fusion spacer having a first elongated body having a first end, a second end, an outer surface and a side wall connecting said first end and said second end, said elongated body defining an interior cavity;
at least one of said first end and said second end having a discontinuity configured for nesting with an adjacent spacer,
said side wall defining an opening to said interior cavity in a side of said elongated body, said opening configured for loading said interior cavity with an osteogenic material; and
a second interbody fusion spacer having a second elongated body, said second elongated body having a third end, a fourth end, a second outer surface and a second side wall connecting said first end and said second end, said second interbody fusion spacer ~~nestable~~ nested within said first interbody fusion spacer.

21. (Original) The implant system of claim 20, wherein said first and second elongated bodies are comprised of metal.

22. (Original) The implant system of claim 20, wherein said first and second elongated bodies are generally cylindrical in shape.

23. (Original) The implant system of claim 20, wherein said first and second outer surfaces each independently define threaded bone-engaging portions.

24. (Original) The implant system of claim 20, wherein each of said elongated bodies further include a plurality of openings for bone ingrowth.

25. (Original) The implant system of claim 20, wherein one of said ends of said first body and one of said ends of said second body comprise a tool engaging end defining a tool engaging hole for receiving a driving tool for implanting the spacers.

26. (Original) The implant system of claim 20, further comprising an osteogenic material disposed within said first interior cavity.

27. (Original) The implant system of claim 26, wherein said osteogenic material comprises demineralized bone, a calcium phosphate material, a bioceramic, bioglass, an osteoinductive factor and mixtures thereof.

28. (Original) The implant system of claim 20, wherein said opening is defined by a discontinuity in said side wall over at least about 10% of the circumference of said body but not exceeding about 50% of the circumference of said first body.

29. (Original) The implant system of claim 28, wherein said discontinuity extends over at least about 20% of the circumference of said body but not exceeding about 40% of the circumference of said first body.

30. (Original) The implant system of claim 20, wherein said opening is defined by a discontinuity in said side wall extending over at least about 50% of the length of said first body.

31. (Original) The implant system of claim 30, wherein said discontinuity extends over at least about 80% of the length of said first body.

32. (Original) The implant system of claim 20, wherein said opening is sized to allow passage of osteogenic material into said first interior cavity.

33. (Original) The implant system of claim 20, wherein said second elongate body defines a second interior cavity.

34. (Presently Amended) An interbody fusion implant system, comprising:
a first interbody fusion spacer having a first elongated body, said first elongated body having a circumference, a first end defining a first endwall, a second end defining a second end wall, a first outer surface and a first side wall connecting said first end and said second end, said first elongated body defining a first interior cavity, at least one of said end walls having a discontinuity configured for nesting with an adjacent spacer, said discontinuity extending along a length of said body and into said side wall, said discontinuity in said side wall defining an opening in communication with said first interior cavity, said side wall having said discontinuity and said end wall having said discontinuity both extending about said circumference of said body to substantially the same extent; and

a second interbody fusion spacer having a second elongated body, said second elongated body having a third end, a fourth end, a second outer surface and a second side wall connecting said third end and said fourth end, said second interbody fusion spacer ~~nestable~~ nested within said first interbody fusion spacer.

35. (Original) The implant system of claim 34, wherein at least one of said ends of said first interbody fusion spacer and said second interbody fusion spacer comprise a tool

engaging end defining a tool engaging hole for receiving a driving tool for implanting the spacers.

36. (Original) The implant system of claim 34, wherein said first interbody fusion spacer and said second interbody fusion spacer are comprised of metal.

37. (Original) The implant system of claim 34, wherein said first elongated body has a first plurality of openings for bone ingrowth extending from said first outer surface into said first internal cavity,

38-39. (Canceled)

40. (Presently Amended) A method of promoting fusion bone growth in the space between adjacent vertebrae, comprising:

(a) providing a first interbody fusion spacer having a first elongated body, said first elongated body having a first end, a second end, a first outer surface and a first side wall connecting said first end and said second end, said elongated body defining a first interior cavity; at least one of said first end and said second end having a discontinuity configured for nesting with an adjacent spacer;

said first side wall having a discontinuity aligned with the discontinuity of the first or second end and defining an opening to said interior cavity in a side of said first elongate body;

a second interbody fusion spacer having a second elongated body, said second elongated body having a third end, a fourth end, a second outer surface and a second side wall connecting said first end and said second end, said second interbody fusion spacer nestable within said first interbody fusion spacer;

(b) preparing said adjacent vertebrae to receive the elongated body in an intervertebral space between adjacent vertebrae; and

(c) placing the first elongated body into the intervertebral space; and

(d) implanting the second spacer into the intervertebral space orientated to nest with the first spacer.

41. (Original) The method of claim 40, further comprising packing osteogenic material into said interior cavity of said first spacer prior to the placing step.

42 and 43. (Canceled)

44. (Original) The method of claim 40, wherein said first and second interbody fusion spacers are comprised of metal.

45. (Original) The method of claim 40, wherein said first elongated body has a first plurality of openings for bone ingrowth extending from said first outer surface into said first interior cavity.

46. (Presently Amended) A method of promoting fusion bone growth in the space between adjacent vertebrae, comprising:

(a) providing a first interbody fusion spacer having a first elongated body, said first elongated body having a circumference, a first end defining a first end wall, a second end defining a second end wall, a first outer surface and a first side wall connecting said first end and said second end, said first elongated body defining a first interior cavity, at least one of said endwalls having a discontinuity configured for nesting with an adjacent spacer, said discontinuity extending along a length of said body and into said sidewall, said discontinuity in said side wall defining an opening in communication with said first interior cavity, said side wall having said discontinuity and said end wall having said discontinuity both extend about said circumference of said body to substantially the same extent;

(b) preparing said adjacent vertebrae to receive the elongated body in an intervertebral space between adjacent vertebrae; ~~and~~

(c) placing the first elongated body into the intervertebral space; and

(d) implanting a second spacer into the intervertebral space orientated to nest with the first spacer.

47. (Original) The method of claim 46, further comprising packing osteogenic material into said interior cavity of said first spacer prior to the placing step.

48-49 (Canceled)

50. (Presently Amended) The method of claim 49 46, wherein said first and second interbody fusion spacers are comprised of metal.

51. (Original) The method of claim 50, wherein said first elongated body has a first plurality of openings for bone ingrowth extending from said first outer surface into said interior cavity.

52. (Presently Amended) An interbody fusion spacer, comprising:
an elongate body comprised of metal and having end walls and a side wall extending between said end walls, said side wall and said end walls defining an interior cavity chamber, said ~~side walls~~ side wall further defining an opening configured for passage of osteogenic material into said cavity chamber;

said end walls each having an external profile comprising a first portion defining an arc of a circle, said arc extending from 180° to 324° around the circle; said external profile also comprising a second portion defining a concave surface;

said side wall having an external profile defining an arc of a circle, said arc extending from 180° to 324° around the circle and aligned with the arc defined by said end walls.

53. (Canceled)

54. (Presently Amended) The interbody fusion spacer of claim ~~53~~ 52, wherein said end walls are integral with said side walls.

55. (Presently Amended) The interbody fusion spacer of claim ~~53~~ 52, wherein said body is a substantially cylindrical body.

56. (Presently Amended) The interbody fusion spacer of any of claims ~~53-55~~ 52, wherein said side walls have surface features for resisting expulsion from an intervertebral space.

57. (Original) The interbody fusion spacer of claim 56, wherein said surface features comprise threads.

58. (New) The method of claim 40 comprising packing osteogenic material into the interior cavity of the first elongate body after the placing the first elongate body into the intervertebral space.
